

## **Remarks**

Claims 1-16 were pending in the application, and were rejected. By this paper, claims 3, 4, 6 and 7 have been cancelled. Furthermore, arguments are presented below regarding the patentability of the remaining claims, and reconsideration of the claims is respectfully requested. In addition, new claims 17-26 have been added.

### **Double Patenting Rejection**

Claims 1-16 stand rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-51 of U.S. Patent No. 6,488,203 (the '203 patent) in view of U.S. Patent No. 6,771,766 to Shafiee et al. (the '766 patent).

Claims 1 and 14 of the present application each recite "providing a manned kiosk including a kiosk agent, ... receiving the unique personal identification number and the security code at the manned kiosk from the recipient, ... and dispensing funds corresponding to the designation of an amount of funds at the manned kiosk by the kiosk agent if the unique personal identification number and the security code provided by the recipient match the stored unique personal identification number and the stored security code." Similarly, independent claim 5 recites "a manned kiosk in communication with the central terminal, the manned kiosk including an agent for receiving the unique personal identification number and the security code from the recipient." Claim 5 also recites that "the manned kiosk is operative to dispense funds corresponding to the designation of an amount of funds directly to the recipient when the unique personal identification number and the security code provided by the recipient match the stored unique personal identification number and the stored security code."

By contrast, none of the claims of the '203 patent recite use of a manned kiosk, as well as use of both a unique personal identification number and security code. Furthermore, the '766 patent does not disclose use of a manned kiosk that performs the above claimed functions. Instead, the '766 patent discloses "[e]stablishing a conference between a customer at

a customer terminal and a live agent at an agent station." (The '766 patent, Abstract.) In that regard, the '766 patent discloses a system that "may include one or more customer terminals 110, one or more (web) site servers 120, one or more agent stations 130, one or more kiosks 140 and a multimedia call center server 150" that may each "communicate with one another via a network 170, such as the Internet for example." (The '766 patent, col. 4, ll. 57-63, and Fig. 1.) Thus, the '766 patent does not teach use of a manned kiosk that performs the functions recited above, but rather an agent at an agent station that communicates with a remote customer terminal or kiosk.

For at least the above reasons, the double patenting rejection of claims 1-16 is believed to be improper and should be withdrawn.

### **Rejection Under 35 U.S.C. § 103**

Claims 1-16 stand rejected under § 103(a) as being unpatentable over U.S. Patent No. 5,650,604 to Marcous et al. (the '604 patent) in view of the '766 patent.

Applicants respectfully believe that the Examiner's proposed combination is improper. In that regard, the '604 patent discloses "a system and method for fully automated electronic transfer of cash or cash equivalent between a sender and a recipient." (The '604 patent, Abstract). Furthermore, the '604 patent discloses that "[t]he system and method of the present invention provides a completely electronic funds transfer mechanism, thereby eliminating the third party sales agent(s) in the transfer process." (The '604 patent, col. 3, ll. 4-7.) Thus, the '604 patent teaches away from use of a live agent as disclosed in the '766 patent. Therefore, the combination of references is believed to be improper.

Furthermore, even if the '766 patent was properly combinable with the '604 patent, the resultant combination would still fall short of the invention claimed in any of claims 1, 5 and 14. In that regard, claims 1, 5 and 14 each recite use of "a manned kiosk" including an "agent." Furthermore, claims 1 and 14 each recite "dispensing funds corresponding to the designation of an amount of funds at the manned kiosk by the kiosk agent if the unique personal identification number and the security code provided by the recipient match the stored unique personal

identification number and the stored security code." Similarly, claim 5 recites that "the manned kiosk is operative to dispense funds corresponding to the designation of an amount of funds directly to the recipient when the unique personal identification number and the security code provided by the recipient match the stored unique personal identification number and the stored security code."

As noted by the Examiner, the '604 patent "fails to teach the use of a manned kiosk." Contrary to the Examiner's assertion, the '766 patent also fails to disclose use of a manned kiosk that performs the above functions. Instead, as noted above, the '766 patent discloses "[e]stablishing a conference between a customer at a customer terminal and a live agent at an agent station." (The '766 patent, Abstract.) In that regard, the '766 patent discloses a system that "may include one or more customer terminals 110, one or more (web) site servers 120, one or more agent stations 130, one or more kiosks 140 and a multimedia call center server 150" that may each "communicate with one another via a network 170, such as the Internet for example." (The '766 patent, col. 4, ll. 57-63, and Fig. 1.) Thus, the '766 patent does not teach use of a manned kiosk that performs the functions recited above, but rather an agent at an agent station that communicates with a remote customer terminal or kiosk.

For at least the above reasons, the § 103(a) rejection is believed to be improper. Furthermore, independent claims 1 and 5, as well as the associated dependent claims, are believed to be allowable.

It should also be noted that many dependent claims recite additional features that are also not disclosed in either of the cited references. For example, claim 10 recites that "the security code comprises an image," claim 11 recites that "the security code comprises a sound," and claim 12 recites that "the security code comprises a symbol." Thus, claims 10, 11 and 12 require that the security code that is received at the initiating terminal from the sender and that is received at the manned kiosk from the recipient comprise an image, a sound, or a symbol, respectively. Although the Examiner has taken official notice that "security codes in the form of a symbol, an image, or a sound are old and well known in the art," Applicants respectfully request that the Examiner cite a reference that shows receipt of such a code at an initiating

terminal from a sender, as well as receipt of such a code at a kiosk from a recipient, if the rejection of claims 10-12 is not withdrawn.

### **New Claims**

New claims 17-26 have been added for consideration by the Examiner.

New claim 17 recites "a method for performing a dispensing transaction in connection with a money transfer initiating transaction in which a sender provides a security code and a designation of an amount of funds to be electronically transferred from an account of the sender to a recipient, wherein the security code and the designation of an amount of funds are stored at a central terminal, the sender is provided a personal identification code, and the sender's account is debited an amount corresponding to the designation of an amount of funds." Claim 17 further recites that the method comprises:

- providing a manned kiosk including a kiosk agent;
- receiving the personal identification code and the security code at the manned kiosk from the recipient after the sender's account has been debited the amount corresponding to the designation of an amount of funds;
- transmitting, from the manned kiosk, the personal identification code and the security code provided by the recipient to the central terminal for comparison with the stored personal identification code and stored security code; and
- dispensing to the recipient funds corresponding to the designation of an amount of funds at the manned kiosk if the personal identification code and the security code provided by the recipient match the stored personal identification code and the stored security code.

Because the combination of features recited in claim 17 is not disclosed in the cited references, taken alone or in combination, claim 17 and dependent claims 18-21 are believed to be allowable.

New claim 22 is directed to a method for performing a dispensing transaction in connection with a money transfer initiating transaction in which a sender provides a security code and a designation of an amount of funds to be electronically transferred from the sender to a recipient, wherein the security code and the designation of an amount of funds are stored at a central terminal, the sender is provided a personal identification code, and the sender provides funds corresponding to the designation of an amount of funds. Claim 22 further recites that the method comprises:

- providing a manned kiosk including a kiosk agent;
- receiving the personal identification code and the security code at the manned kiosk from the recipient after the funds have been provided by the sender;
- transmitting, from the manned kiosk, the personal identification code and the security code provided by the recipient to the central terminal for comparison with the stored personal identification code and stored security code; and
- dispensing to the recipient funds corresponding to the designation of an amount of funds at the manned kiosk if the personal identification code and the security code provided by the recipient match the stored personal identification code and the stored security code;
- wherein the method is carried out without debiting an account of the sender.

Because the combination of features recited in claim 22 is not disclosed in the cited references, taken alone or in combination, claim 22 and dependent claims 23-26 are believed to be allowable.

**Conclusion**

Applicants have made a genuine effort to respond to each of the Examiner's rejections in advancing the prosecution of this case. Applicants believe that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If any additional issues need to be resolved, the Examiner is invited to contact the undersigned at his earliest convenience.

The fee of \$520 for additional claims is being transmitted herewith. The Commissioner is hereby authorized to charge any additional required fees or credit any overpayments to our Deposit Account No. 02-3978.

Respectfully submitted,

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